

Monty L. Barnett, #6-2694
Rachel E. Ryckman, #7-4656
Keith R. Olivera (*Pro Hac Vice*)
White and Steele, P.C.
Dominion Towers, North Tower
600 17th Street, Suite 600N
Denver, CO 80202-5406
(303) 296-2828
mbarnett@wsteele.com
rryckman@wsteele.com
kolivera@wsteele.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

**CARLIE SHERMAN, ANNA GOZUN,
AMANDA NASH, and JOHN DOE** on behalf of
themselves and all similarly situated persons,

PLAINTIFFS,

v.

TRINITY TEEN SOLUTIONS, INC., a
Wyoming corporation; **TRIANGLE CROSS
RANCH, LLC**, a Wyoming limited liability
corporation; **MONKS OF THE MOST
BLESSED VIRGIN MARY OF MOUNT
CARMEL, d/b/a MYSTIC MONK COFFEE**, a
Wyoming corporation; **GERALD E.
SCHNEIDER; MICHAEELEEN P.
SCHNEIDER; ANGELA C. WOODWARD;
JERRY D. WOODWARD; DANIEL
SCHNEIDER; MATHEW SCHNEIDER;
MARK SCHNEIDER; KARA WOODWARD;
KYLE WOODWARD; THOMAS GEORGE;
JUDITH D. JEFFERIS; DALLY-UP, LLC**, a
Wyoming limited liability corporation; **ROCK
CREEK RANCH, INC.**, a Delaware corporation;
DIOCESE OF CHEYENNE, a Wyoming
corporation; and the **SOCIETY OF OUR LADY
OF THE MOST HOLY TRINITY**, a Texas
corporation; and **NEW MOUNT CARMEL
FOUNDATION, INC.**, a Wyoming corporation,

Civil Case No. 20-CV-00215-SWS

DEFENDANTS.

**DEFENDANTS TRIANGLE CROSS RANCH, LLC, GERALD E. SCHNEIDER,
MICHAEELEN P. SCHNEIDER, MATTHEW SCHNEIDER, MARK SCHNEIDER, AND
THOMAS GEORGE’S MOTION TO DISMISS**

Defendants Triangle Cross Ranch, LLC, Gerald E. Schneider, Michaelleen P. Schneider, Matthew Schneider, Mark Schneider, and Thomas George (“TCR Defendants”), through their attorneys White and Steele, P.C., hereby move under Fed. R. Civ. P. 12(b)(6) to dismiss all claims with prejudice against the TCR Defendants for failure to state a claim upon which relief may be granted. The TCR Defendants have submitted a written brief in support of this Motion, incorporated here by reference. TCR Defendants move for dismissal based on the following grounds:

1. Plaintiffs’ RICO claim is untimely (Count 4);
2. Plaintiffs cannot establish RICO standing (Count 4);
3. Plaintiffs fail to state the remaining substantive RICO elements of (1) conduct (2) of an enterprise (3) through a pattern (4) of racketeering activity (Count 4);
4. Plaintiffs fail to state the required predicate violations pursuant to the Racketeer Influenced and Corrupt Organizations Act (RICO) (Count 4);
5. Plaintiffs fail to state a cognizable labor or services theory pursuant to the Trafficking Victims Protection Act (TVPA) (Counts 1-3);
6. Plaintiffs fail to state the required element of compulsion under the TVPA (Counts 1-3); and,
7. Plaintiffs fail to state knowing violations of the TVPA (Counts 1-3).

WHEREFORE Defendants respectfully ask the Court to dismiss the plaintiffs’ claims against the TCR Defendants, with prejudice.

Respectfully submitted this 22nd day of January, 2021.

WHITE & STEELE, P.C.

/s/ Rachel E. Ryckman

Monty L. Barnett, #6-2694

Rachel E. Ryckman, #7-4656

Keith R. Olivera (*Pro Hac Vice*)

White and Steele, P.C.

Dominion Towers, North Tower

600 Seventeenth Street, Suite 600Na

Denver, CO 80202

ATTORNEYS FOR DEFENDANTS

TRIANGLE CROSS RANCH, LLC

GERALD E. SCHNEIDER;

MICHAEELEN P. SCHNEIDER

MATTHEW SCHNEIDER;

MARK SCHNEIDER and

THOMAS GEORGE

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed on January 22, 2021, with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

Michael Rosenthal	mike@hkwyolaw.com
Nathan Nicholas	nnicholas@hkwyolaw.com
Brice M. Timmons	brice@donatilaw.com
Bryce Ashby	bryce@donatilaw.com
Craig Edgington	craig@donatilaw.com
Frank L. Watson, III	fwatson@watsonburns.com
Rick L. Koehmstedt	rick@schwartzbon.com
Patricia K. Buchanan	pkb@pattersonbuchanan.com
Thomas Quinn	tquinn@gordonrees.com
Lillian Alves	lalves@grsm.com
Loyd E. Smith	lsmith@hickeyevans.com
Paul J. Hickey	phickey@hickeyevans.com
Traci Lacock	tlacock@hirstapplegate.com
Makena Stoakes	mstoakes@smlawoffice.com
Patrick Sodoro	psodoro@smlawoffice.com
Timothy Stubson	tstubson@crowleyfleck.com
Jane France	jfrance@spkm.org

/s/ Rachel E. Ryckman
For White and Steele